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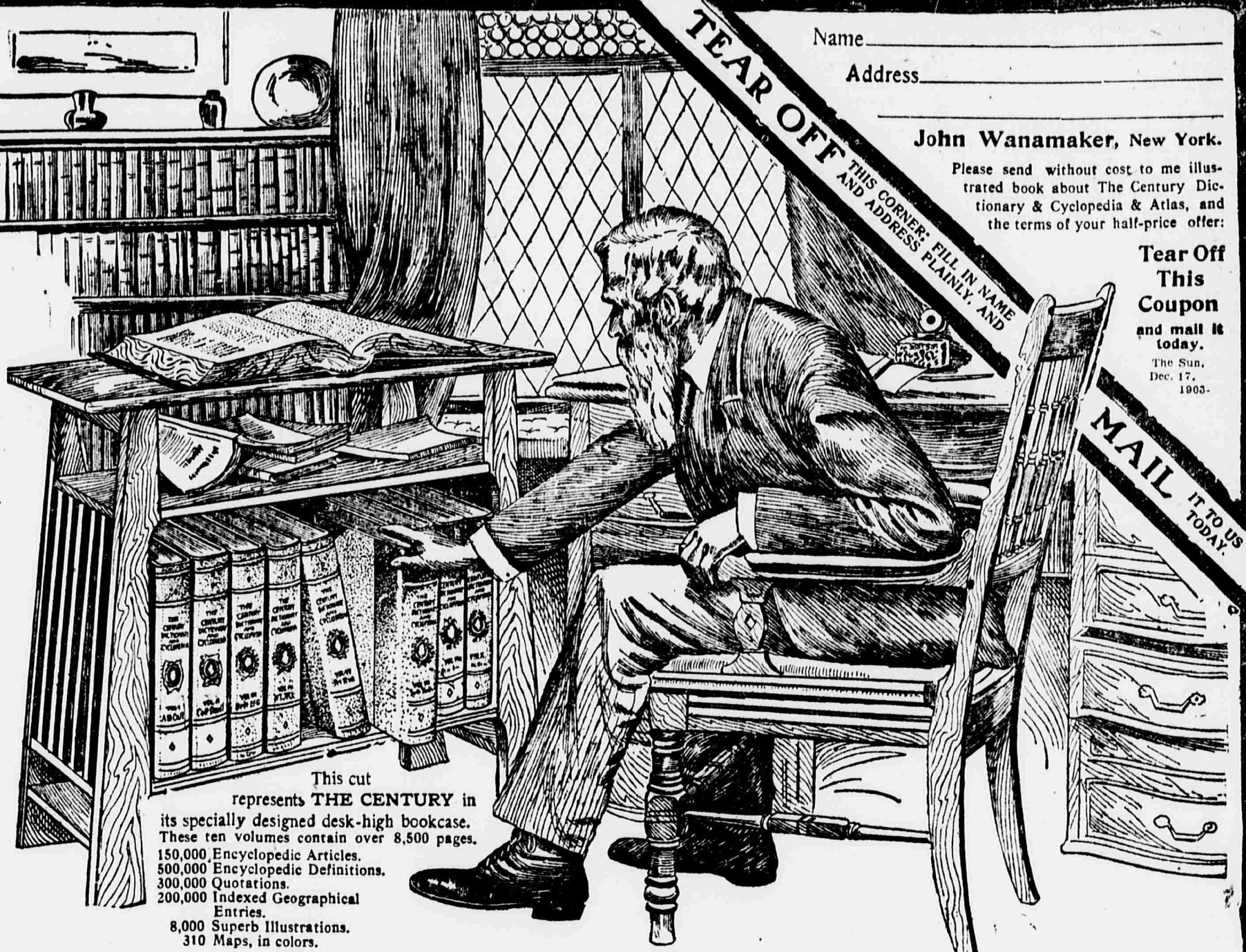
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The Sun, Dec. 17, 1903.

MAIL IT TO US TODAY

SAY SCHWAB'S BONDS ARE VOID

NEW ANSWER FILED IN A SHIPYARD FORECLOSURE SUIT.

The Company Asks the Court to Declare That Mr. Schwab Owes \$18,000,000 for the Stock He Got in the Deal for the Bethlehem Steel Co.'s Plant.

The original suit which the New York Security and Trust Company brought against the United States Shipbuilding Company and James Smith, Jr., receiver, to foreclose the mortgage which the trust company holds securing \$10,000,000 worth of bonds given by the shipbuilding company to C. M. Schwab has been further complicated.

As a result of the charges of fraud made by Mr. Smith against Charles M. Schwab in the original answer, Mr. Schwab, on Oct. 24, asked and obtained leave to intervene as a co-complainant with the New York Security and Trust Company. At the same time Judge Lacombe granted Guggenheimer, Untermyer & Marshall leave to file an amended answer, and a cross bill for their clients, the United States Shipbuilding Company and its receiver, defendants.

The amended answer denies many of the charges of the complainants and reiterates many of the charges in the original answer. The \$10,000,000 of bonds in question, it is alleged, are illegal and void, and the \$18,000,000 of preferred and \$10,000,000 of common stock given at the same time to Mr. Schwab is having more than paid for that plant. The mortgage given to secure the bonds, therefore, it is alleged, is null and void.

The cross bill asks for affirmative relief. It demands that the \$10,000,000 of bonds be declared null and void and fully paid and non-enforceable against the shipbuilding company, and that the shipbuilding company be ordered to pay to Mr. Schwab the \$18,000,000 of stock, and that this indebtedness be applied against any money which the shipbuilding company owes him. It is also asked that the complainants be enjoined from foreclosing the mortgage and from suing for the bonds.

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FRAUD IN LAND DEALS.

Woman Director of an Insolvent Loan Company Charged With Swindling.

INDIANAPOLIS, Dec. 16.—An investigation of the books of the Homestead Loan and Investment Company, which recently went into the hands of a receiver, shows fraudulent land sales which will run into thousands of dollars, the beneficiary in the majority of them being Mrs. Mary Barr, a director and at one time secretary of the insolvent company.

Her plan was to purchase a lot in a cheap "addition" to the city mortgage or to sell it to a friend for a sum three or four times its value and then sell the lot to the Homestead company at a large advance over the mortgage debt.

In September last, for instance, she owned a lot in Beatty's "addition" worth \$50. She mortgaged this lot for \$750 and then sold it to the Homestead company for \$2,000. She received \$1,250 in cash, the company assuming the mortgage debt.

Another deal was worked through Mrs. Mary Johnson, who bought a cheap lot from Mrs. Barr, paying \$2,000 cash and assuming a mortgage for the same amount. Mrs. Johnson then sold the lot to the Homestead company for \$4,000. In a suit filed against Mrs. Barr, the receiver, today, these and many kindred transactions are declared to be fraudulent, and as Mrs. Barr is arraigned to answer the State an attachment was secured against money in bank belonging to her and other property was attached.

The receiver, today, is seeking to have the attachment removed, claiming that the money in bank belongs to the Homestead company.

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HANNA NOT AFTER IT.

Senator Tells Gen. J. Madison Drake He "Cannot Be Considered a Candidate."

ELIZABETH, N. J., Dec. 16.—Gen. J. Madison Drake has received a letter from Senator Hanna in reply to one from the General asking the Senator to allow his friends to propose him as the Republican candidate for the Presidency next year. The Senator's letter follows:

WASHINGTON, D. C., Dec. 14, 1903.
MY DEAR GENERAL: I have received with interest your kind letter of the 10th inst., and assure you of my sincere appreciation of the sentiments expressed in the same, and of your regard and confidence in me. Such suggestions as you make with reference to next year are, of course, highly complimentary, but my position on this subject is well defined and well known. I have no personal ambition to serve, and cannot be considered in any sense as a candidate for the Presidential nomination. My only desire is to serve my party to the extent of my ability. Again thanking you for your kindness, I remain, your truly,
M. A. HANNA.

After giving reasons why Mr. Hanna should permit his Presidential hopes to grow, Gen. Drake said in his letter to the Senator:

I hope you will let the people have their own choice of a President, and I believe, they will do so. I believe that you will do so. I believe that you will do so.

Gen. Drake is editor of the *Daily Leader*, a Republican newspaper. He is a Medal of Honor man, and attended the recent reunion of Medal of Honor men at Gettysburg. He has taken a decided stand against Roosevelt, both personally and in his paper.

GOT ONE ALDERMAN.

Republicans of Boston Elected Him Despite the Democratic Landslide.

BOSTON, Dec. 16.—The Republicans are celebrating themselves over the discovery today that one Republican candidate for the Board of Aldermen survived the Democratic landslide yesterday. Early this morning it was thought that the Democrats had elected the entire Board of Aldermen, but the late returns show that Alderman Edward J. Bromberg of the West Roxbury district defeated Alderman James E. Nolan, who ran as Democratic-City, and secured the seat by the endorsement of the machine leaders.

The complete returns show that Mayor Collins's plurality is 26,495. In addition to electing twelve of the thirteen Aldermen, the Democrats have secured the eight vacant seats in the School Committee and have secured more than two-thirds of the membership of the Common Council.

BUFFALO AT WHITEHOUSE AGAIN.

Three into Two You Can't, and Who Shall Go to Chicago?

Mayor E. C. Knight of Buffalo, who stopped at Washington to see the President ten days ago, on his way to Florida, stopped there again yesterday and had lunch at the White House. The Fifth Avenue Hotel politicians, who keep track of these incidents, said that the President, but President Roosevelt might be embarrassed by the Buffalo situation, where Mayor Knight and Postmaster Greiner both want to go to the national convention along with William C. Warren. Both can't go. One of Gov. Odell's intimates said last night that when the Governor was asked to select between the two, he decided that as a way out, one of the men might be made an alternate at large.

Non-Partisans Carry Cambridge, Mass.

CAMBRIDGE, Mass., Dec. 16.—The non-partisan ticket won a victory in the municipal election yesterday. Judge Daly, their candidate for Mayor, defeated Mayor McNamee by sixty-four votes. The non-partisans elected eight Aldermen and the Democrats three. The Common Council stood thirteen non-partisans to nine Democrats. The non-partisans carried the school committee, elected their candidate for principal assessor and the city went for no license by a majority of 4,345.

Three Plums From the Brooklyn Tree.

CHARGES AGAINST L. P. STEARNS

BY FORMER MEMBER OF REPUBLICAN STATE COMMITTEE.

Says the State Tax Commissioner Leases a Building to the Government, Western Union and Bell Telephone for \$3,000, Which is Assessed for Only \$5,500.

JAMESTOWN, N. Y., Dec. 16.—O. E. Jones, a former member of the Republican State Committee, issues another open letter to-night, making serious charges against Lester F. Stearns, State Tax Commissioner, for having leased a building in the city of Dunkirk to the Bell Telephone Company and to the Western Union Telegraph Company, when, as State Tax Commissioner, he is one of the men who are called upon to assess the value of franchises of these two companies in different parts of the State.

The building in question is owned by Mr. Stearns and Justice Warren B. Hooker and is leased to the Government as a post office and to the two corporations named, for which a total of more than \$3,000 per year was paid in rental, while the building, together with land upon which it stands, is assessed at only \$5,500, the rental from the three sources being more than half the assessed valuation.

The enthusiasm of the Bell Telephone Company and the Western Union Telegraph Company, "says Mr. Jones, "in entering into the lease and paying \$3,000 per year, is now under indictment for postal frauds, for reducing the premises to any practical use showing a commendable disposition to save Mr. Stearns, State Tax Commissioner, from any possible loss upon his investment. These things ought to admonish the Governor of this State that he has a man as Tax Commissioner who has no very exacted conceptions of what belongs to the discharge of public duties."

In reference to the lease which Messrs. Stearns and Hooker have with the Government for this building for post office purposes, Mr. Jones says:

"It should be remembered that when this lease was made with the Government Warren B. Hooker was on the most intimate terms with George W. Beavers, who is now under indictment for postal frauds, while these men, Messrs. Hooker and Stearns, in high places, with valuable Government contracts, are kept in clover."

PAIR OF YOUNGSTERS DRUNK.

One Fell Through a Showcase and Was Sent to Bellevue—Other in St. Vincent's.

John Gardner, 13 years old, of 708 Washington street is in Bellevue Hospital suffering from alcoholism. He is also held as a prisoner on the complaint of Mrs. Rebecca Steicher, who keeps a small notion store at 362 Bleecker street. Young Gardner is roaming along the street yesterday afternoon fell through a showcase in front of the hospital.

William Burns of 742 Greenwich street, who is said to be a neighbor of the boy, yesterday afternoon with a bruise on his forehead and was very sleepy. He went right to bed and when his mother could not arouse him at supper time she became frightened and called a policeman, who got an ambulance from St. Vincent's Hospital. Dr. Gulliver said that the boy had been drinking and took him to the hospital.

Mrs. Burns was told by a neighbor that her boy and young Gardner had been seen drunk on Hudson street in the afternoon. The Charles street police are trying to find out where the boys got the liquor.

Adele Ritchie Pays Jeweller's Bill and Costs

It cost Adele Ritchie, the actress just \$250 to pay a little bill of \$83 for which Theodore B. Starr, the jeweller, brought suit against her in the City Court. A jury awarded him a verdict for \$18, but Judge Seabury set it aside as inadequate. Miss Ritchie appealed, only to have the Appellate Term affirm Judge Seabury, and then the Charles street police are trying to find out where the boys got the liquor.

HOTEL GUESTS FRIGHTENED.

Fire in the Grand of Cincinnati Causes Alarm—Damage \$10,000.

CINCINNATI, Dec. 16.—A fire at the Grand Hotel, the largest of the city, caused a loss of about \$10,000 and something of a stampede among the guests this afternoon. The fire was of unknown origin and the damage sustained was mostly on the sixth floor and largely from the flood of water that the fire department at once turned on.

About two hundred guests, many of them women, were frightened, but the efforts of the firemen and police, headed by Mayor Julius Fleischmann, who was near by when the alarm sounded, soon quieted everybody and nobody was injured. The business of the hotel will not be interrupted.

Parti, who sang here to-night, had engaged a suite of rooms at the hotel, but did not occupy them, deciding to remain in her private car from the time of her arrival last night.

DINNER AND GIFT TO MR. CANTOR

His Heads of Department Entertain Him at Delmonico's.

Borough President Cantor was the guest last night at Delmonico's of his heads of department. The dinner was intended to give Mr. Cantor's official family a final chance to tell him what they thought of him. The dinner also presented to Mr. Cantor a set of silver candelabra of elaborate design.

Mayor Glad to See McCarran.

While the Sinking Fund Commission was meeting yesterday, Senator Pat McCarran strolled into the Council Chamber. As soon as the Mayor saw him he left his chair and advancing to Mr. McCarran with outstretched hand said: "How do you do, Senator. I am glad to see you."

Mr. McCarran wouldn't say what was the purpose of his visit to the City Hall.

Odin on Tram for Police Head.

A host of Tammany men saw Leader McKinny at the Hall yesterday. Some of them didn't learn anything. Others thought they found out that J. Sergeant Cram, ex-Dock Commissioner and chairman of the general committee, is still the best bet for Police Commissioner. Thomas Hassett, who was connected with the McCallan campaign bureau, is said to be slated for the job of assistant secretary to the Mayor.

An Old Orange County Hotel Burned.

MIDDLETOWN, N. Y., Dec. 16.—The Greenville Hotel, the oldest hotel in Orange county, built more than a century ago, and which has sheltered many noted men, has been destroyed by fire. The proprietor, Daniel O'Brien, nearly lost his life in attempting to save some of his private effects.

The old landmark enjoyed a large patronage before the Erie Railroad was built, in the days when New Jersey farmers had to drive to Newburgh with their produce and stay overnight there.

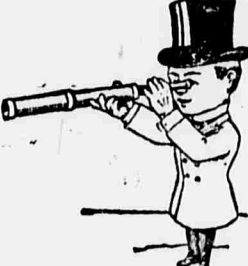
Swanson-Barnard.

WASHINGTON, Dec. 16.—Several hundred guests witnessed the marriage at the Church of the New Jerusalem of Miss Alice Barnard, daughter of Justice and Mrs. Job Barnard, and John Reed Swanson, a Harvard man of the class of '06. Walter Charlton of Boston was best man and the three brothers of the bride, Arthur, Clarence and Ralph Barnard, and Frederick Swanson, brother of the groom, were the best men. The bride and groom were Miss Elizabeth Edson of Washington, Miss Beatrice McGeorge and Miss Mildred McGeorge of Philadelphia were bridesmaids. Mr. Swanson is connected with the Bureau of Ethnology in the city and was recently ordered to Alaska, where the bride and groom will spend their honeymoon.

McMurry—Post.

Miss Mabel C. Post and George G. McMurry, Jr., were married yesterday at the home of the bride's parents, Mr. and Mrs. Alfred Seton Post, at Flushing, L. I. The bride wore a costume of white satin with lace, chiffon, tulle and orange blossoms. She was attended by her sister, Miss Ethel M. Post, as maid of honor. Edward Porter McMurry was best man, and George W. Thompson, René La Montagne Jr., Arthur Seton Post Jr., Hamilton Fish Benjamin and Lothrop Randolph and George E. Lunt of Pittsburgh were ushers.

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Broadway at 31st St., N. Y.
Fulton St. at Flatbush Ave.
Broadway at Bedford Ave.
Brooklyn

AN IRVING AND A BOARD BILL.

Attempt to Garnish an Income of \$140 a Month.

George Irving, a nephew of Washington Irving, has been sued by Mrs. Sarah Sawyer of 157 Madison avenue for a board bill. Irving lived in her house from June 3, 1898, to Sept. 8, 1899. Mrs. Sawyer wants \$1,200, interest and costs. Irving now lives at the Fifth Avenue Hotel with his wife, Louisa Irving.

In supplementary proceedings Irving testified that he had no business, had not been employed in eighteen years and never had a salary. All his income is derived from property left him by his brother, being a one-eighth interest in the income of \$30,000, the city paid for land condemned in Chambers street twenty years ago. This, he says, amounts to about \$140 a month. He received \$325 last May, \$300 in July and nothing in June. The trustees of the estate are his sister, Mrs. Henry Van Wart, and her two sons, Edward and Irving. The active trustee is W. I. Clark.

Irving has 300 shares of stock in a copper company operating in Texas. He carries a dollar watch and owes \$10,000, mostly to Thomas of his family. The directors are Morris G. Koff, Florence C. Peck, Helen R. Sturges, Louis L. Brown, Charles E. Barker, Joseph E. Dey, William H. Rowe, Charles B. Smith, Lewis M. Sogge, Arthur F. Schornhorn, Thomas H. McKee, Henry R. Frost, George Jacobs, Alice M. Seidler and Robert W. Crawford of New York city.

THE CANAL IMPROVEMENT.

Friends of Champlain Canal to See That It Gets Its Share of the \$101,000,000.

ALBANY, Dec. 16.—Representatives of business interests along the Champlain Canal met here today and formed an organization to look after the interests of that waterway and to see that the improvement of the canal is begun as early as that on the Erie Canal and that the Champlain gets its share of the \$101,000,000. Frank S. Withers presided at the meeting. It was resolved:

That it shall also be charged with the duty, as citizens, to see that the money is faithfully and economically expended that the work of canalizing the Hudson River from Troy to Fort Edward and enlarging the canal from Fort Edward at the Glen Falls feeder to Whitehall be expeditiously carried on simultaneously with similar work done on the Erie Canal.

That it prepare facts and figures showing the importance of the Champlain canal to the whole system.

Alaska Mining Company.

ALBANY, Dec. 16.—The Rowe Alaska Company of New York city, to conduct mining operations in Alaska, has been incorporated with a capital of \$1,500,000. The directors are Morris G. Koff, Florence C. Peck, Helen R. Sturges, Louis L. Brown, Charles E. Barker, Joseph E. Dey, William H. Rowe, Charles B. Smith, Lewis M. Sogge, Arthur F. Schornhorn, Thomas H. McKee, Henry R. Frost, George Jacobs, Alice M. Seidler and Robert W. Crawford of New York city.

Court of Appeals Sessions up to June 24.

ALBANY, Dec. 16.—The Court of Appeals has designated the following dates for its sessions up to the summer, vacation of 1904, all dates inclusive: Jan. 4 to 29, Feb. 8 to March 14, March 14 to April 8, April 25 to May 29, May 31 to June 24.

FOR GOOD ROADS.

State to Be Asked to Spend \$2,000,000 a Year Until Bond Issue Is Available.

ALBANY, Dec. 16.—The executive committee of the Supervisors' highway convention, which convenes here annually in January, met here today, Chairman W. Pierpont White of Utica presiding.

It was decided to press the constitutional amendment permitting State bonds to run for fifty instead of eighteen years and the issuing of \$50,000,000 good road bonds, both of which propositions passed the last Legislature and will have to pass the Legislature of 1905 before submission to a vote of the people in the fall of that year.

Meanwhile the next Legislature will be asked to appropriate \$2,000,000 for good roads, not more than \$2,000,000 to be available in any one year. This will carry on the good road improvement work until 1906, when the bond issue becomes available. It seemed to be the opinion that the advocacy of good road legislation should be made on behalf of those sections of the State which do not benefit from the canal expenditure, and that it would be wise, if successful, to garnish Irving's income under the new law, which makes incomes of \$20 a week or more subject to garnishment for debt.

W. Pierpont White, the chairman of the executive committee, said tonight: "Great dissatisfaction was expressed at today's meeting because of the small appropriation the State is making to complete the cost of good roads under the Higbie-Armstrong law. In 1902 the State appropriated \$750,000, but in 1903 this sum was cut down to \$500,000, although the State had \$2,000,000 surplus in the treasury."

"The demand for good roads in the State of New York has increased by leaps and bounds. At the present time the State Engineer and Surveyor has received petitions for 2,500 miles of road, and the State's one-half share of the cost of this would amount to \$14,000,000. If the State does not appropriate more than \$500,000 a year as aid for the building of roads, it would take about twenty-three years to complete the roads now petitioned for. Those interested in roads were not willing to wait this long. Therefore at the last session of the Legislature a constitutional amendment was carried, which provides that the State may bond itself for \$50,000,000 for the building of roads. This amendment must be passed again in 1905 and afterward submitted to a vote of the people, but the executive committee is unwilling to wait until 1906, when the bond issue under this constitutional amendment would be available, and has therefore recommended to the Supervisors' convention to be held in January that a bill be introduced immediately on the opening of the Legislature appropriating \$2,000,000 a year for three years, as the State's share for building roads."

The executive committee passed a resolution commending the Brownlow bill appropriating \$24,000,000 by the national government as national aid for wagon roads.

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